



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
FORT MYERS REGULATORY OFFICE
1520 ROYAL PALM SQUARE BOULEVARD, SUITE 310
FORT MYERS, FLORIDA 33919

Regulatory Division
South Permits Branch/West Permits Section
Fort Myers Regulatory Office

PUBLIC NOTICE

Permit Application No. SAJ-2004-8207(IP-JWS) OCT 28 2004

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to **Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below:**

APPLICANT: Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

WATERWAY & LOCATION: Freshwater-forested and freshwater-herbaceous wetlands within the Charlotte Harbor watershed. The site is located at 921 Edmunds Street, Section 17, Township 41 South, Range 23 East, Punta Gorda, Charlotte County, Florida.

DIRECTIONS TO SITE: Take Tamiami Trail north to Aqui Esta Drive. Take Aqui Esta Drive east to Edmunds Street. Take Edmunds Street east to the corner of Edmunds Street and Cooper Street. Project is south of Edmunds Street and east of Cooper Street.

LATITUDE & LONGITUDE: Latitude: 26° 54' 45" North
Longitude: 82° 02' 18" West

PROJECT PURPOSE:

Basic: To construct an electrical substation.

Overall: To construct an electrical substation to serve the Charlotte County area.

PROPOSED WORK: The applicant proposes to construct an electrical substation to serve the Charlotte County area. The property is 9.55 acres in size with the entire property consisting of wetlands. The 9.55 acres of wetlands consist of brazilian pepper (5.70 acres), disturbed lands (2.32 acres), and vegetated/non-forested (1.53 acres).

The applicant proposes to discharge 36,310 cubic yards of fill material onto the entire 9.55 acres site.

If it is determined that issuance of a permit is appropriate and compensatory mitigation is required to offset the impacts of the proposed project, the applicant has proposed to purchase freshwater-herbaceous credits from the Little Pine Island Mitigation Bank. Details of the compensation plan including wetland functional analysis and adequacy of the compensation have not been finalized.

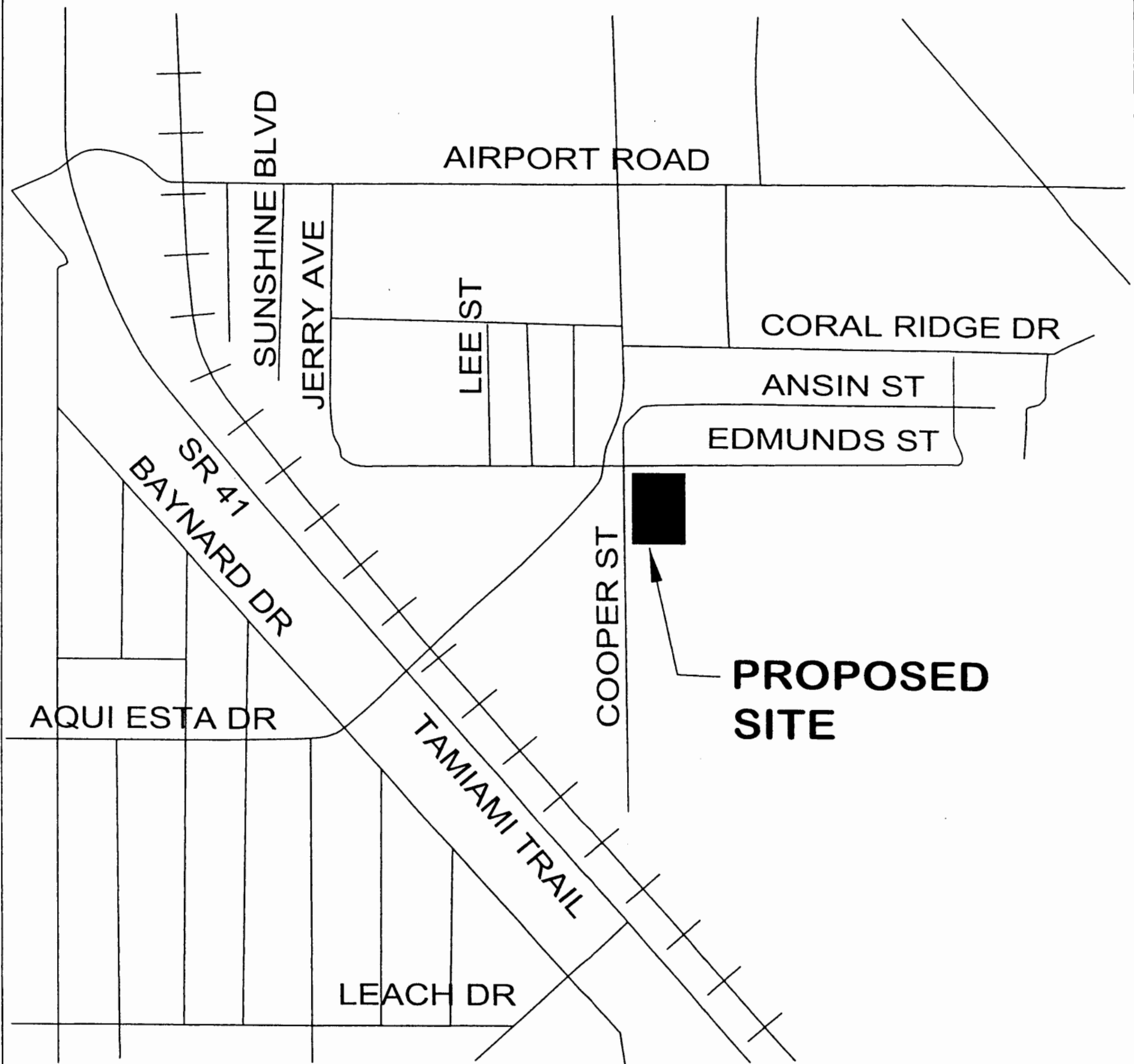
ENDANGERED SPECIES: The Corps is unaware of any threatened or endangered species concerns in the project area.

NOTE: **This public notice has been developed and issued based on information furnished by the applicant and has not been verified. The Corps has verified the wetland jurisdictional boundary.**

AUTHORIZATION FROM OTHER AGENCIES: The Florida Department of Environmental Protection (FDEP) is currently processing an application for this project under application number: 08-0234969-EI05.

Comments and/or recommendations concerning the application should be submitted in writing to the District Engineer, in care of Mr. Jason Steele, at the Fort Myers Regulatory Office, 1520 Royal Palm Square Blvd., Suite 310, Fort Myers, Florida 33919, by phone at 239-334-1975, Ext. 33, or via electronic mail at Jason.W.Steele@saj02.usace.army.mil within 30 days from the date of this notice.





ConsulTech

LOCATION MAP
FOR
COOPER SUB STATION
LOCATED IN

TION 17, TOWNSHIP 41SOUTH, RANGE 23 EAST
CHARLOTTE COUNTY, FLORIDA

**CONSUL-TECH DEVELOPMENT
SERVICES, INC.**

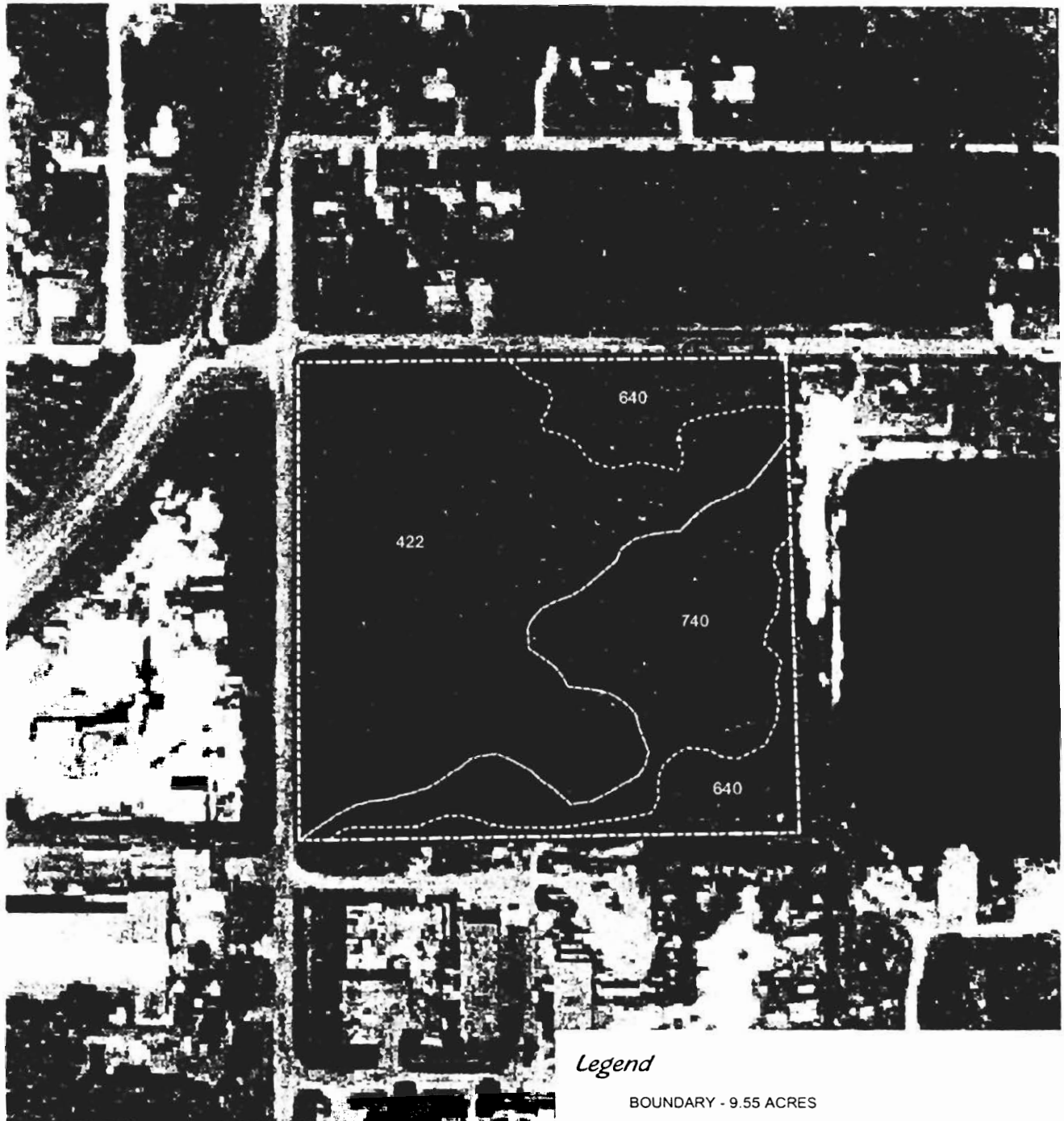
3947 Clark Road
Sarasota, Florida 34233

Phone: (941) 556-1106
Fax: (941) 556-1105

Project: FPL (Cooper Substation)

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Legend

BOUNDARY - 9.55 ACRES

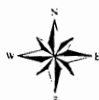
FLUCCS

422 - BRAZILIAN PEPPER - 5.70 ACRES

640 - VEGETATED NON-FORESTED WETLANDS - 1.53 ACRES

740 - DISTURBED LANDS - 2.32 ACRES

NOTE: All coordinates are in UTM coordinates, NAD 1983.
Tract line drawn by Colleur and Hearing, Inc. and is not assumed to
be accurate as to Northing and Easting or area.



1 inch equals 60 meters

Map Document: (F:\ArcMap_Projects\03-1108_FPL_Cooper\Bases.mxd)
9/21/2004 -- 9:13:09 AM

FLUCCS Map

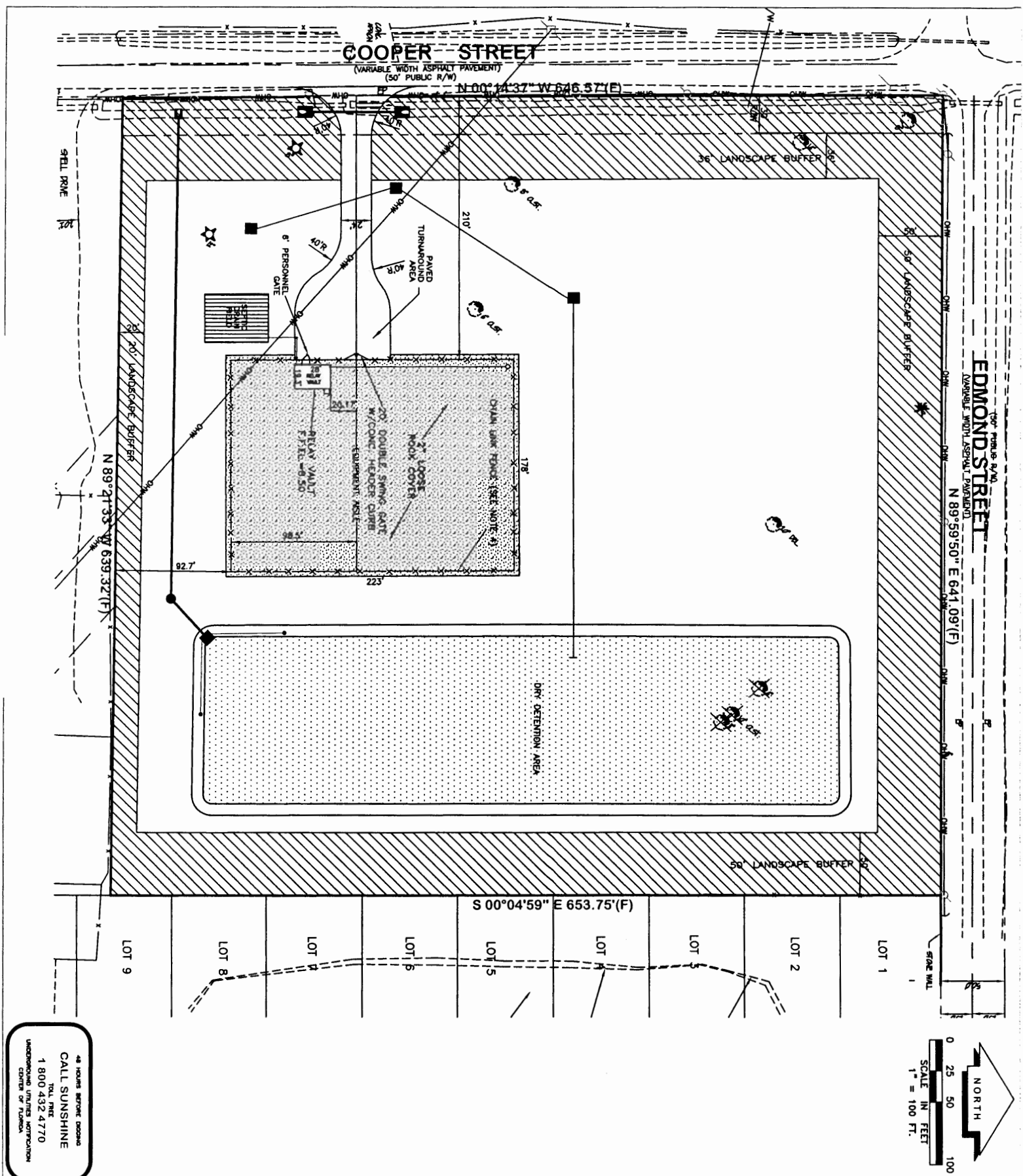
Cooper Substation
Charlotte County, Florida



Project: FPL (Cooper Substation)

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48 HOURS BEFORE RECORD
CALL SUNSHINE
 TOLL FREE
 1 800 432 4770
 UNDERGROUND UTILITIES NOTIFICATION
 CENTER OF FLORIDA

ConsulTech
 DEVELOPMENT SERVICES, INC.

SURVEY INFO PROVIDED BY:
 GLOBAL SURVEYING, P.A.
 5004 S.W. 84 EAST
 BRIGHTON, FLORIDA 34204
 (841)7746-1012

SITE PLAN
COOPER SUBSTATION

LOCATED IN
 SECTION 14, 32 TOWNSHIP 41 SOUTH, RANGE 23 EAS
 CHARLOTTE COUNTY, FLORIDA

FOR ENGINEERING SERVICES PROVIDED BY:

Project: FPL (Cooper Substation)
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IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


John R. Hall
Chief, Regulatory Division